

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application 17632 Permit 13059 License _____

**ORDER APPROVING CHANGE IN POINT OF DIVERSION,
PLACE OF USE, A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT**

WHEREAS:

1. Permit 13059 was issued to Sciarra Water Company on November 24, 1961 pursuant to Application 17632.
2. Permit 13059 was subsequently assigned to the County of Sonoma, Department of Public Works.
3. Petitions to add a point of diversion (No. 3), change the place of use and extend the time within which to develop the project and apply the water to the proposed use have been filed with the State Water Resources Control Board (SWRCB).
4. The petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. Permittee has proceeded with diligence and good cause has been shown for said extension of time.
6. Permittee, under the SWRCB's Conservation Program, is considered an Urban water supplier and is therefore required to develop and implement an urban water conservation plan or actions. Therefore, Standard Permit Term 29B should be added to the permit.
7. Permit Condition 7 regarding the SWRCB's continuing authority should be updated to conform to Title 23, CCR Section 780(a).

THEREFORE, IT IS ORDERED THAT:

1. The condition of the permit related to points of diversion be amended to read:

Locations of Points of Diversion:

- 1) North 250 feet and East 1,150 feet from the W $\frac{1}{4}$ corner of Section 23, T9N, R9W, MDB&M; being within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section. Also described as California Coordinate System: Zone 2, N 346,200 and E 1,762,900.
- 2) North 1,100 feet and West 1,000 feet from the SE corner of Section 15, T9N, R9W, MDB&M; being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section. Also described as California Coordinate System: Zone 2, N 349,400 and E 1,760,600.

- 3) South 1,750 feet and West 1,150 feet from the E $\frac{1}{4}$ corner of Section 21, T9N, R9W, MDB&M; being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section. Also described as California Coordinate System: Zone 2, N 343,800 and E 1,755,800. (0000002)
2. The condition of the permit related to the place of use be amended to read:
- Within the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 14, T9N, R9W, MDB&M; within the SE $\frac{1}{4}$, and the E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 15, T9N, R9W, MDB&M; within the NE $\frac{1}{4}$, the E $\frac{1}{2}$ of NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22; and within the NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23, T9N, R9W, MDB&M. (0000004)
3. Condition 4 of the permit be amended to read:
- CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE December 31, 2001 (0000008)
4. Condition 5 of the permit be amended to read:
- COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE December 31, 2006 (0000009)
5. Condition 12 be added to read:
- Permittee shall consult with the Division of Water Rights and develop and implement an urban water conservation plan or actions. The proposed plan or actions shall be presented to the SWRCB for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of a water conservation program may be required by the SWRCB at any time within this period.
- All cost-effective measures identified in the water conservation program shall be implemented in accordance with the schedule for implementation found therein. (000029B)
6. Condition 7 of the permit be amended to read:
- Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
- The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to:
- (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated;

(3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: MARCH 17 1997

foi 
Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 17632

PERMIT 13059

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT
SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. A petition for an extension of time within which to develop the project and apply the water to the proposed use under Permit 13059 (Application 17632) has been filed with the State Water Resources Control Board.
2. It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 4 of the permit is amended to read as follows:

SAID CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1989 (0000008)

2. Paragraph 5 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE WATER TO
THE PROPOSED USE SHALL BE MADE ON
OR BEFORE

December 1, 1989 (0000009)

3. Paragraph 7 of the permit is deleted. A new Paragraph 7 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water

3/29/91 Notice of asgd:Permit #13059

To: City of Sonoma

Department of Public Works

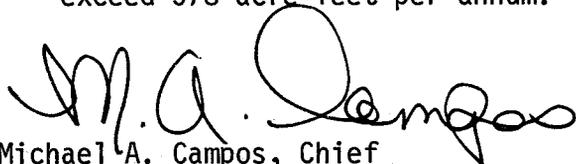
reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (000012)

4. A new Paragraph 10 is added to the permit as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (000013)

5. A new Paragraph 11 is added to the permit as follows:

The total annual diversion and use allowed under this permit shall not exceed 578 acre-feet per annum. (000005)



Michael A. Campos, Chief
Division of Water Rights

Dated:

DECEMBER 20 1979

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17632

PERMIT 13059

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13059; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1968 (0000008)

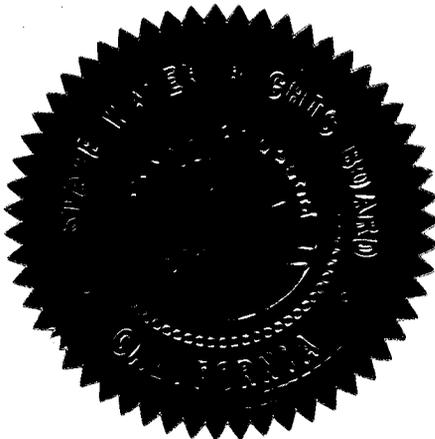
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1968 (0000009)

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD

THIS 23rd day of December, 1965

L. K. Hill

L. K. HILL
EXECUTIVE OFFICER



STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 17632

PERMIT 13059

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13059; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1973 (000009)

DATED: JAN 10 1969

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

p- 13059

3/7/63 RECEIVED NOTICE OF ASSIGNMENT TO Pitah Mountain Water
Co. Inc.

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 17632 Filed May 29, 1957, at 2 03 P.M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, Sciarra Water Company Notice of Assignment (Over)
Name of applicant or applicants
of P. O. Box 682, Healdsburg County of Sonoma
Address
State of California, do hereby make application for a permit to appropriate the

following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Russian River (underflow)
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Sonoma County, tributary to Pacific Ocean

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 1.39 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use _____ acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between _____ and _____ of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Municipal
Domestic, irrigation, power, municipal, mining, industrial, recreational
_____ purposes.

4. The point of diversion is to be located (1) north 250 feet and east 1150 feet from W $\frac{1}{4}$ corner
State bearing and distance or coordinate distances from section or quarter section corner
of Section 23, T9N, R9W, MDB&M (2) north 1100 feet and west 1000 feet from SE corner
(1) SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T9N, R9W, MDB&M,
being within the (2) SE $\frac{1}{4}$ of SE $\frac{1}{4}$

State 40-acre subdivision of public land survey or projection thereof
of Section (1) 24, T. 9N, R. 9W, M.D. B. & M., in the County of Sonoma
(2) 15

5. The main conduit terminates in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T. 9N, R. 9W, M.D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from offset wells
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being _____ feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. Storage Reservoir _____
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

IMPORTANT
[Please Read Carefully]

1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
5. Please advise immediately of any change of address. Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 13059

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed one and thirty-nine hundredths (1.39) cubic feet per second to be diverted from January 1 to December 31 of each year. (0000005)

2. The maximum amount herein stated may be reduced in the license if investigation so warrants. (0000006)

3. Actual construction work shall begin on or before June 1, 1962, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked. (0000007)

4. Said construction work shall be completed on or before December 1, 1964. (0000008)

5. Complete application of the water to the proposed use shall be made on or before December 1, 1965. (0000009)

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued. (0000010)

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water. (0000012)

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

9. This permit is issued expressly subject to the terms of that certain stipulation dated October 3, 1958, between the applicant and Sonoma County Flood Control and Water Conservation District and placed on record in the office of the State Water Rights Board, in connection with Application 17632. (0000300)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: NOV 24 1961

STATE WATER RIGHTS BOARD



L. K. Hill
L. K. Hill
Executive Officer

15. **Municipal Use.** This application is made for the purpose of serving Del Rio and Camp Rose
Name city or cities, town or towns. Urban areas only
 subdivisions _____ having a present population of 1000

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

1958 - 150,000 gallons per day (0.23 cubic foot per second)
1963 - 900,000 gallons per day (1.39 cubic feet per second)

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim
 and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise. _____
will not Explain nature of pollution, if any

and it will be returned to _____
will not Name stream State 40-acre subdivision

Sec. _____

17. **Other Uses.** The nature of the use proposed is _____
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

_____ industrial use, and unit requirements

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes If not, state specifically the time required for filing same _____
Yes or No

19. Does the applicant own the land at the proposed point of diversion? No If not, give name and address of owner and state what steps have been taken to secure right of access thereto. Applicants have permission from the owners agreement of right of way needed.

William A. and Nora Lee Casteel, Rt. 2, Box 377A, S. Fitch Mountain Road, Healdsburg, California

20. What is the name of the post office most used by those living near the proposed point of diversion?
Healdsburg

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Numerous

[SIGNATURE OF APPLICANT] /s/ John D. Sciarra